

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

FC 2011-002723

12/14/2011

JUDGE DAVID J. PALMER

CLERK OF THE COURT

S. Stewart

Deputy

IN RE THE MARRIAGE OF  
AMY JO DAURIO

J VINCENT GONZALEZ

AND

STEVEN L DAURIO

PHILIP A SEFLOW

MINUTE ENTRY

Courtroom CCB 602

Prior to the commencement of this proceeding, Petitioner's Exhibits 1 through 33 and Respondent's Exhibits 34 through 38 are marked for identification;

2:09 p.m. This is the time set for Trial regarding Petitioner's Petition for Dissolution of Marriage (With Minor Children) filed on May 12, 2011 and Response thereto filed on June 9, 2011. Petitioner/Mother, Amy Jo Daurio, is present with above-named counsel. Respondent/Father, Steven L. Daurio, is present with above-named counsel.

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

Discussion is held with the Court regarding the status of the case.

Amy Jo Daurio and Steven L. Daurio are sworn.

Counsel inform the Court that the parties have reached certain agreements, which are stated on the record and can be summarized as follows:

- A QDRO shall be entered into wherein Mother shall withdraw \$35,000.00 cash with penalties and taxes to be reimbursed by Father. When QDRO is entered,

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Mother shall immediately withdraw the \$35,000.00 cash and Father shall have 45 days from that date to reimburse Mother for penalties and taxes paid.

- Each party to keep their own separate financial assets.
- Each party shall assume and be responsible for their respective credit card debt.
- Father shall have exclusive use and possession of the marital residence subject to him being solely liable for any loans or financial obligations associated therewith, to include the HELOC.
- Mother shall have exclusive use and possession of the Lexus vehicle subject to her being solely liable for any loans or financial obligations associated therewith. Mother shall make good faith efforts to refinance the vehicle loan in her own name.
- Father shall have exclusive use and possession of the Navigator vehicle subject to him being solely liable for any loans or financial obligations associated therewith.
- Father shall be permitted to inventory the marital residence and the safe located in the residence, and shall be accompanied by Kayla on December 15<sup>th</sup>
- Father shall have exclusive use and possession of the boat subject to him being solely liable for any loans or financial obligations associated therewith.
- Each party shall have the family photos currently in their possession placed on a CD and the CD given to the other party.
- Mother shall keep the personal furniture currently in her possession, a list of which is more fully set forth on the record, and Father shall receive the remaining furniture left in the marital residence
- The parties shall equally split the Christmas decorations.
- The recommendations contained in Dr. Marlene Joy's November 29, 2011 report shall be adopted as final orders of the Court, to be clarified that for 2012, each party shall have 7 days vacation with the minor child, not to be attached to that parties regularly scheduled weekend parenting time.

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- The parties shall share joint legal custody of the minor child, Ayden Daurio (DOB: 12/07/2005).
- The parties shall exchange the minor child curbside of Father's residence.
- Father may claim the minor child as a dependent for tax year 2012.

Mother, having previously been sworn, states that she heard the agreement stated on the record, she voluntarily entered into the agreement with the assistance of counsel and the agreement is fair and equitable and in the best interest of the parties' minor child.

Father, having previously been sworn, states that he heard the agreement stated on the record, he voluntarily entered into the agreement with the assistance of counsel and that the agreement is fair and equitable and in the best interest of the parties' minor child.

**THE COURT FINDS** that the parties have knowingly, willingly, and intelligently entered into a binding agreement, and that the agreement is fair and equitable and in the best interest of the parties' minor child and enforceable by the Court.

For the purposes of Rule 69, Arizona Rules of Family Law Procedure,

**IT IS HEREBY ORDERED** approving and adopting the agreement of the parties entered in open Court on this day. The Court hereby approves the agreement as binding pursuant to Rule 69, Rules of Family Law Procedure.

Pursuant to agreement of the parties,

**THE COURT FINDS** it appropriate that the Order of Protection issued on July 7, 2011 be modified as stated on the record in open court and reflected in the Order of Protection – Amended signed by the Court this date.

**ISSUED:** Order of Protection - Amended; Acceptance of Service

**LET THE RECORD REFLECT** that the parties receive copies of the aforementioned documents in open court.

**LET THE RECORD FURTHER REFLECT** that Defendant signs an Acceptance of Service Form in open court.

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Amy Jo Daurio now testifies.

Petitioner's Exhibit 3 is received in evidence.

Petitioner's Exhibit 14 is received in evidence.

Petitioner's Exhibit 8 is received in evidence.

Respondent's Exhibits 39, 40 and 41 are marked for identification.

Respondent's Exhibit 40 is received in evidence.

Petitioner's Exhibit 17 is received in evidence.

Joli Bjorklund is sworn and testifies.

The witness is excused.

3:27 p.m. The Court stands in recess.

3:41 p.m. Court reconvenes with respective counsel and parties present.

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

Steven L. Daurio now testifies.

Respondent's Exhibit 41 is received in evidence.

Respondent's Exhibit 42 is marked for identification and received in evidence.

Respondent's Exhibits 35 and 36 are received in evidence.

Respondent's Exhibit 39 is received in evidence.

Exhibit 43 is marked for identification and received in evidence.

Closing arguments.

Based on the matters presented,

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**IT IS ORDERED** taking this matter under advisement.

**IT IS FURTHER ORDERED** that Dr. Marlene Joy's November 29, 2011 report shall be filed as a confidential court report.

4:44 p.m. Matter concludes.

There being no need to retain the exhibits marked for identification but not offered into evidence,

**IT IS ORDERED** permanently releasing Exhibits 1, 2, 4 through 7, 9 through 13, 15, 16, and 18 through 33 to the immediate possession of Petitioner's counsel and Exhibits 34, 37 and 38 to the immediate possession of Respondent's counsel.

**ISSUED:** Exhibit Release Form

**IT IS FURTHER ORDERED** signing this minute entry as a formal written order of this Court pursuant to Rule 81, Arizona Rules of Family Law Procedure.

/S/: HONORABLE DAVID J. PALMER

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JUDICIAL OFFICER OF THE SUPERIOR COURT

**LATER:**

**LET THE RECORD REFLECT** that MCSO-OIC has been sent copies of the following documents by facsimile transmission this date:

Order of Protection - Amended  
Acceptance of Service

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter>.